

# House File 2559 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON VETERANS  
AFFAIRS

(SUCCESSOR TO HF 2191)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act prohibiting the sale at retail of designated flags  
2 manufactured outside of the United States and establishing a  
3 penalty.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5255HV 82  
6 rn/nh/5

PAG LIN

1 1 Section 1. NEW SECTION. 554E.1 SALE OF FLAGS ==  
1 2 RESTRICTION.  
1 3 1. a. A person shall not sell or offer for sale at retail  
1 4 in this state on or after January 1, 2009, any of the  
1 5 following flags, unless the flag was manufactured in the  
1 6 United States:  
1 7 (1) The United States flag.  
1 8 (2) The state flag of Iowa.  
1 9 (3) A flag representing or commemorating United States  
1 10 soldiers characterized as missing in action or prisoners of  
1 11 war.  
1 12 b. For purposes of this section, "person" includes an  
1 13 individual, an owner or operator of a retail mercantile  
1 14 establishment, or an agent, employee, officer, director,  
1 15 franchisee, or independent contractor of such owner or  
1 16 operator.  
1 17 c. For purposes of this section, "flag" means a piece of  
1 18 woven cloth or other material designed to be flown for  
1 19 purposes of public display from a pole or mast.  
1 20 d. This section shall not apply to representations or  
1 21 depictions of a flag not meeting the definition in paragraph  
1 22 "c" which are affixed or attached to physical objects, works  
1 23 of art, or memorabilia.  
1 24 2. A person violating this section shall be guilty of a  
1 25 simple misdemeanor. Each sale made in violation of this  
1 26 section constitutes a separate offense.

### EXPLANATION

1 28 This bill prohibits a person from selling or offering for  
1 29 sale at retail, on or after January 1, 2009, designated forms  
1 30 of flags, as defined in the bill, unless the flags are  
1 31 manufactured in the United States. Flags encompassed by the  
1 32 prohibition include the United States flag, the state flag of  
1 33 Iowa, and flags representing or commemorating United States  
1 34 soldiers characterized as missing in action or prisoners of  
1 35 war. The bill provides a "person" includes an individual, an  
2 1 owner or operator of a retail mercantile establishment, or an  
2 2 agent, employee, officer, director, franchisee, or independent  
2 3 contractor of such an owner or operator.  
2 4 The bill specifies that the prohibition does not extend to  
2 5 depictions of a flag affixed or attached to objects which do  
2 6 not meet the definition in the bill of a piece of woven cloth  
2 7 or material designed to be flown from a pole or mast.  
2 8 The bill establishes a penalty of a simple misdemeanor for  
2 9 violations of the prohibition. A simple misdemeanor is  
2 10 punishable by confinement for no more than 30 days or a fine  
2 11 of at least \$65 but not more than \$625 or by both. The bill  
2 12 specifies that each sale made in violation of the prohibition  
2 13 shall be considered a separate offense.  
2 14 LSB 5255HV 82  
2 15 rn/nh/5